

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MEMORANDUM ORDER

Within ten days after the issuance of this Court's April 6, 2007 memorandum order dismissing the Complaint that had been brought by Rodney Patton ("Patton"),¹ Patton has submitted what he labels as his "Motion to Amend Complaint" (see the attached photocopy of his handwritten motion), accompanied by a proposed 42 U.S.C. §1983 ("Section 1983") Complaint, an In Forma Pauperis Application and Financial Affidavit ("Application") and a Motion for Appointment of Counsel ("Motion"), all utilizing forms provided by this District Court's Clerk's Office. Because that new filing sets out a wholly different claim from the one Patton sought to advance in this action (this action claimed the denial of medical care for Patton's back problems, while the new pleading stems from an asserted March 19, 2007 assault on Patton by other detainees at the Cook County Department of Corrections),

¹ Because the basis for dismissal was Patton's "fail[ure] to state a claim upon which relief may be granted" (see 28 U.S.C. §1915A(b)(1)), that dismissal constitutes a "strike" for purposes of 28 U.S.C. §1915(g).

Patton's new proposed Complaint has been assigned a new case number (07 C 2180) by the Clerk's Office, and this Court's handling of that new claim will be carried out under that number.

In the meantime, Patton's asserted Motion to Amend Complaint is denied. This case is over.



Milton I. Shadur
Senior United States District Judge

Date: April 30, 2007

UNITED STATES District Court
Northern District of Illinois
Eastern District

PLAINTIFF
Copy

Rodney M. Patten,
Plaintiff

v.

County of Cook
Defendants,

JUDGE'S COPY

APR 16 2007

CASE NO: 07 C 1761

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Motion to Amend Complaint

Now Comes The Plaintiff Rodney M. Patten, And Ask The Honorable Court to Allow The Plaintiff to Amend his complaint. The Court Dismiss Plaintiff complaint on April 6, 2007. The Plaintiff now seeks to Amend that complaint and ask the court to reconsider the ruling and Allow the Plaintiff to Amend his complaint.

Respectfully Submitted
Rodney M. Patten